

CITY OF LINCOLN/LANCASTER COUNTY PLANNING STAFF REPORT

for August 20, 2003 PLANNING COMMISSION MEETING

P.A.S.: County Final Plat No.03025
Prairie Creek Estates

SCHEDULED PLANNING COMMISSION MEETING:

DATE: August 20, 2003

PROPOSAL: A final plat consisting of 8 lots and three Outlots

LOCATION: South 148th Street and Van Dorn Street.

LAND AREA: 130.40 acres, more or less.

CONCLUSION: Final plat is in conformance with the preliminary plat and Community Unit Plan.

RECOMMENDATION:

Conditional Approval

GENERAL INFORMATION:

LEGAL DESCRIPTION: A portion of Lot 2 I. T. located in the SW 1/4 of Section 34, T10N, R8E of the 6th P.M., Lancaster County, Nebraska; metes and bounds description attached.

EXISTING ZONING: AG Agricultural in the Lancaster County Jurisdiction

EXISTING LAND USE: Farm land

SURROUNDING LAND USE AND ZONING:

North: Agriculture, scattered acreages, zoned AG

South: Agriculture and a native prairie, zoned AG

East: Agriculture and acreages, zoned AG

West Agriculture and two dwellings, zoned AG

HISTORY: Prairie Creek Estates Preliminary Plat and Community Unit Plan were approved by the Lancaster County Board on June 2, 2002.

UTILITIES: There is no public sewer available. Individual waste disposal is proposed. This is in the Lancaster County Rural Water District #1 and Rural Water is proposed.

TRAFFIC ANALYSIS: 148th is a paved County road. Van Dorn Street is a gravel county road. Van Dorn is not shown for future improvement

ANALYSIS:

1. The final plat conforms to the approved preliminary plat.
2. The County Engineer's letter of July 14 requested several minor revisions.
3. The Lower Platte South NRD letter of July 21, requests that an access agreement change be requested.
4. Revisions and installation of improvements are required prior to scheduling to the County Board.

CONDITIONS:

1. Prior to scheduling this final plat onto the County Board's agenda:

1.1 The Final Plat Mylar shall have the following changes made to it:

1.1.1 Show a Certificate for the County Clerk that indicates the approval by the County Board.

1.1.2 Revise the Dedication to remove "City of Lincoln, a municipal corporation",

1.1.3 Revise the Dedication as requested by the County Engineer. To remove lot 9, change S. 134th Street to S. 154th Street and show "only one access per lot".

1.1.4 Remove the acceptance of dedication from the Planning Commission Approval.

1.1.5 Add the language that public streets shown are hereby dedicated to the public.

1.1.6 Add the address to the surveyor's signature line.

1.1.7 Remove City of Lincoln and Title 26 from the Surveyors Certificate.

1.1.8 Remove Lincoln Electric System from the Dedication and use Norris Public Power District.

1.1.9 Revise the Lien Holder Consent and Subordination to reflect the instrument Number as listed in the ownership certificate.

1.1.10 Revise page two to include the title "Index Sheet" and a north arrow. Note parcel 2 and the homestead are "not part of this subdivision".

1.1.11 Show the name of the street on sheet 4 of 6.

1.1.12 Provide a corrected Mylar signed in black opaque ink and six copies to the Planning Department.

1.2 All improvements must be in place and approved by the County Engineer.

1.3 Water improvements must be in place (or an equivalent agreement) and approved by the Lancaster County Rural Water District #2.

2. The subdivider has signed an agreement that binds the subdivider, its successors and assigns:

2.1 To submit to the County Engineer an erosion control plan.

2.2 To protect the remaining trees on the site during construction and development.

2.3 To submit to lot buyers and home builders a copy of the soil analysis.

2.4 To complete the private improvements shown on the preliminary plat.

2.5 To maintain the outlots and private improvements on a permanent and continuous basis. However, the subdivider may be relieved and discharged of this maintenance obligation upon creating in writing a permanent and continuous association of property owners who would be responsible for said permanent and continuous maintenance. The subdivider shall not be relieved of such maintenance obligation until the document or documents creating said property owners association have been reviewed and approved by the County Attorney and filed of record with the Register of Deeds.

2.6 To relinquish the right of direct vehicular access to Van Dorn Street except for S. 154th Street and to South 148th Street.

2.7 To comply with the provisions of the Land Subdivision Resolution regarding land preparation.

4. Submit a statement from the County Treasurer's office that there are no delinquent taxes against the land within the proposed subdivision and there are no liens for taxes which have been levied but which are not yet delinquent, and a statement that all special assessment installment payments are current as applied to said proposed subdivision

All taxes against the land have been paid and are current and there are no liens for taxes which have been levied but not yet delinquent.

Prepared by:

Mike DeKalb
Planner
July 30, 2003

APPLICANT: Brian D. Carstens and Associates
601 Old Cheney Road, Suite C
Lincoln, NE 68512
(402) 434-2424

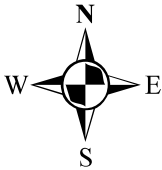
OWNER: Mark E. Shiers and Karri L. Shiers,
husband and wife, as joint tenants
7331 S. 29th Street
Lincoln, NE 68516
(402) 420-7331

Nebraska Prairie L. L. C.
A Nebraska Limited Liability Company
P.O. Box 336
Bennet, NE 68317
(402) 770-7707

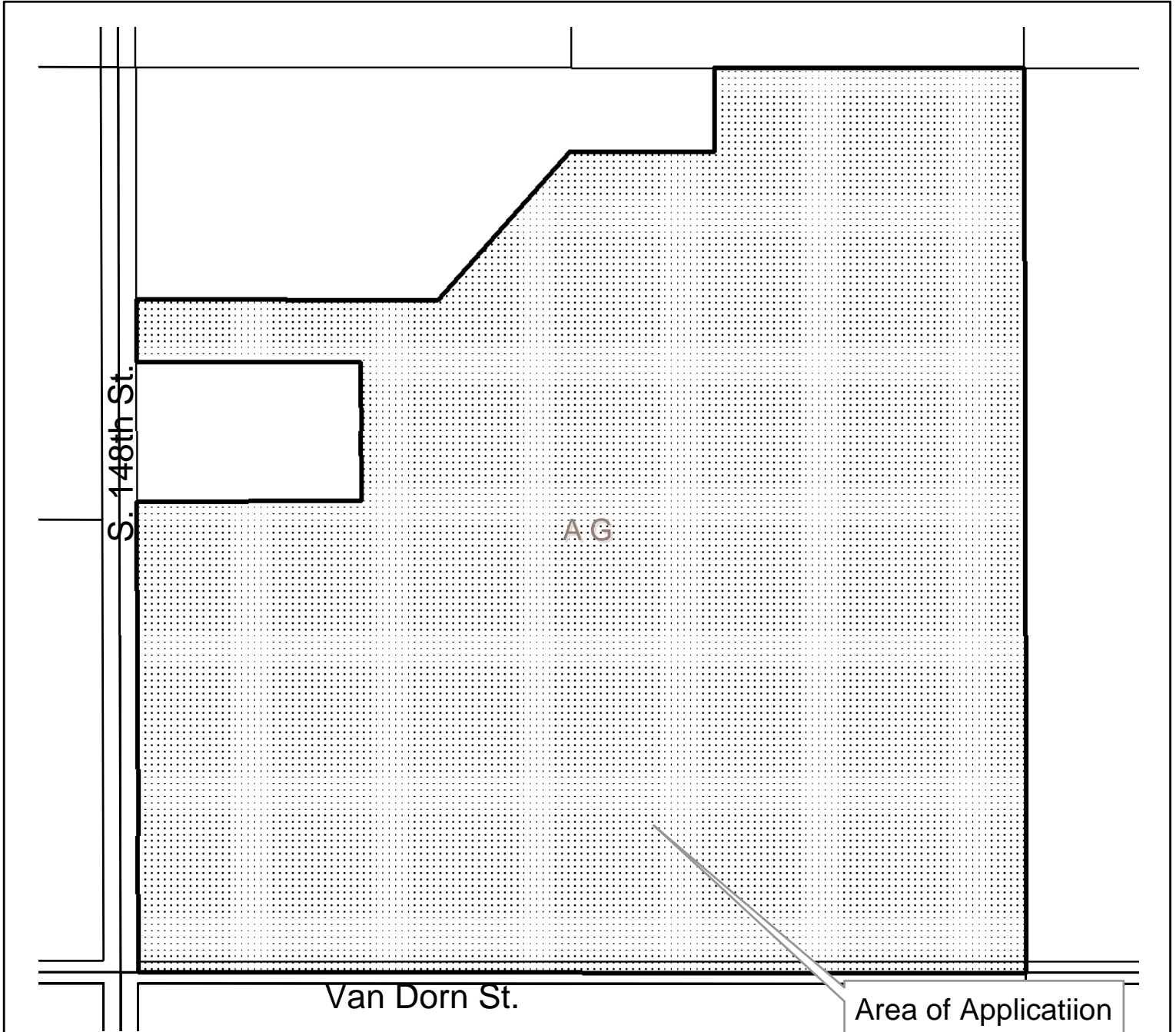
CONTACT: Brian D. Carstens and Associates



County Final Plat #03025
Prairie Creek Estates
S. 148th & Van Dorn Sts.



Lincoln City - Lancaster County Planning Dept.
2002 aerial

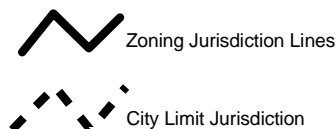
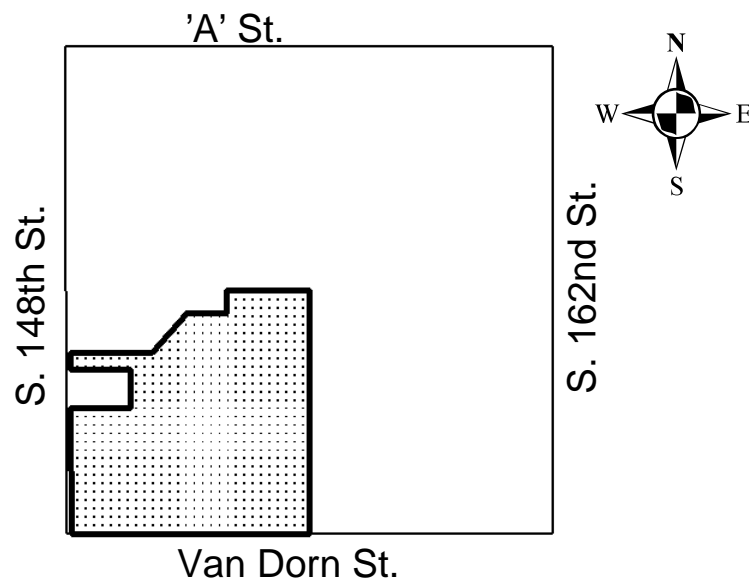


County Final Plat #03025 **Prairie Creek Estates** **S. 148th & Van Dorn Sts.**

Zoning:

R-1 to R-8	Residential District
AG	Agricultural District
AGR	Agricultural Residential District
R-C	Residential Conservation District
O-1	Office District
O-2	Suburban Office District
O-3	Office Park District
R-T	Residential Transition District
B-1	Local Business District
B-2	Planned Neighborhood Business District
B-3	Commercial District
B-4	Lincoln Center Business District
B-5	Planned Regional Business District
H-1	Interstate Commercial District
H-2	Highway Business District
H-3	Highway Commercial District
H-4	General Commercial District
I-1	Industrial District
I-2	Industrial Park District
I-3	Employment Center District
P	Public Use District

One Square Mile
 Sec. 34 T10N R8E



PRAIRIE CREEK ESTATES ADDITION

FINAL PLAT

BASED ON PRAIRIE CREEK ESTATES
COUNTY PRELIMINARY PLAT #03001

MATCH LINE

PAGE 3 OF 6

PAGE 4 OF 6

MATCH LINE

PAGE 5 OF 6

PAGE 6 OF 6

CURVE DATA:

<p>A R = 300.00' Δ = 11°45'58" T = 51.52' L = 102.88' ChDist = 102.50' ChBrg = N5°54'34"E</p>	<p>B R = 300.00' Δ = 11°47'30" T = 51.83' L = 102.90' ChDist = 102.72' ChBrg = N17°41'19"E</p>	<p>C R = 300.00' Δ = 89°18'00" T = 281.23' L = 462.88' ChDist = 437.47' ChBrg = N58°44'04"E</p>
<p>D R = 50.00' Δ = 17°54'28" T = 7.98' L = 15.63' ChDist = 15.57' ChBrg = N08°50'32"E</p>	<p>E R = 200.00' Δ = 15°44'26" T = 27.85' L = 54.94' ChDist = 54.77' ChBrg = S07°59'10"E</p>	<p>F R = 200.00' Δ = 15°44'26" T = 27.85' L = 54.94' ChDist = 54.77' ChBrg = N07°59'10"W</p>
<p>G R = 200.00' Δ = 15°44'26" T = 27.85' L = 54.94' ChDist = 54.77' ChBrg = N07°45'16"E</p>	<p>H R = 200.00' Δ = 15°44'26" T = 27.85' L = 54.94' ChDist = 54.77' ChBrg = N07°45'16"E</p>	<p>J R = 50.00' Δ = 89°50'17" T = 50.00' L = 70.60' ChDist = 70.61' ChBrg = N45°02'08"W</p>
<p>K R = 45.00' Δ = 119°38'43" T = 77.38' L = 93.97' ChDist = 77.60' ChBrg = S84°41'23"E</p>	<p>L R = 25.00' Δ = 49°00'07" T = 11.39' L = 23.38' ChDist = 20.74' ChBrg = N19°22'09"W</p>	

SOUTH 14TH STREET

VAN DORN STREET

VAN DORN STREET

2 of 6

JUL - 9 2003

PLAT #03001

**FINAL PLAT
BASED ON PRAIRIE CREEK ESTATES
COUNTY PRELIMINARY PLAT #03001**

NW COR.SW.1/4
SEC.34 T.10N.R.8E.
- POINT OF BEGINNING
C. CYL. OVER SANDSTONE



SCALE: 1" = 100'

SOUTH 148TH STREET

N 00° 10' 45" W 183.68'

10°

10' WIDE R.O.W. DEDICATION

10.00'

643.39'
S 89°49'15"W 653.39'

N 00°10'45"W 407.39'

10.00'

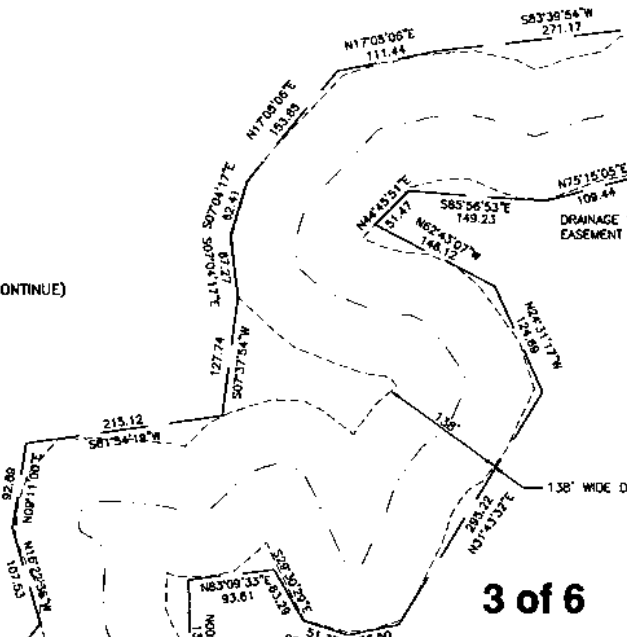
10' WIDE R.O.W. DEDICATION

OUTLOT 'C'
97.82 AC.
(EXISTING FARM USES TO CONTINUE)

JUL - 9 2003

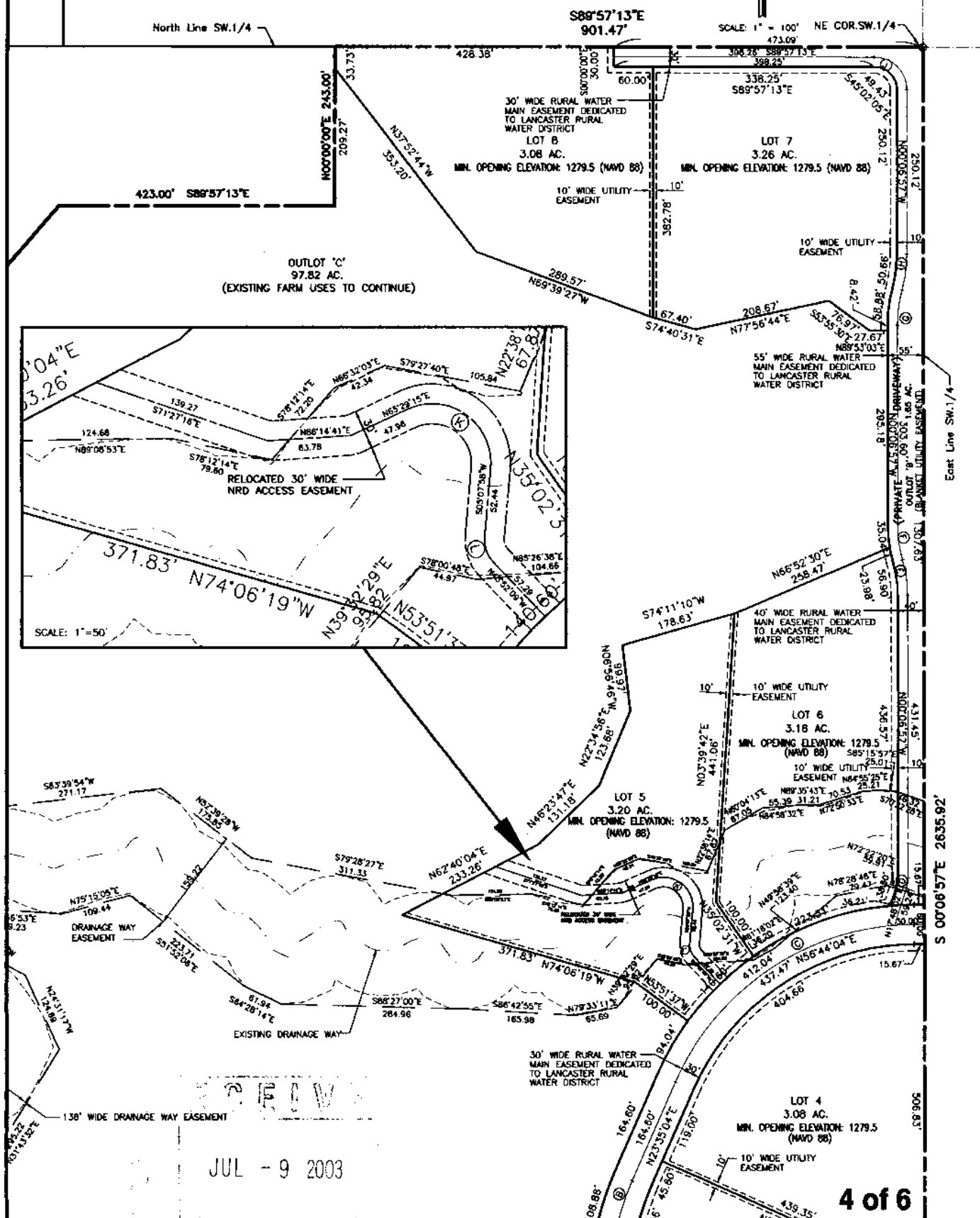
LANCASTER CITY/LANCASTER TOWNSHIP
PLANNING DEPARTMENT

3 of 6



PRAIRIE CREEK ESTATES ADDITION

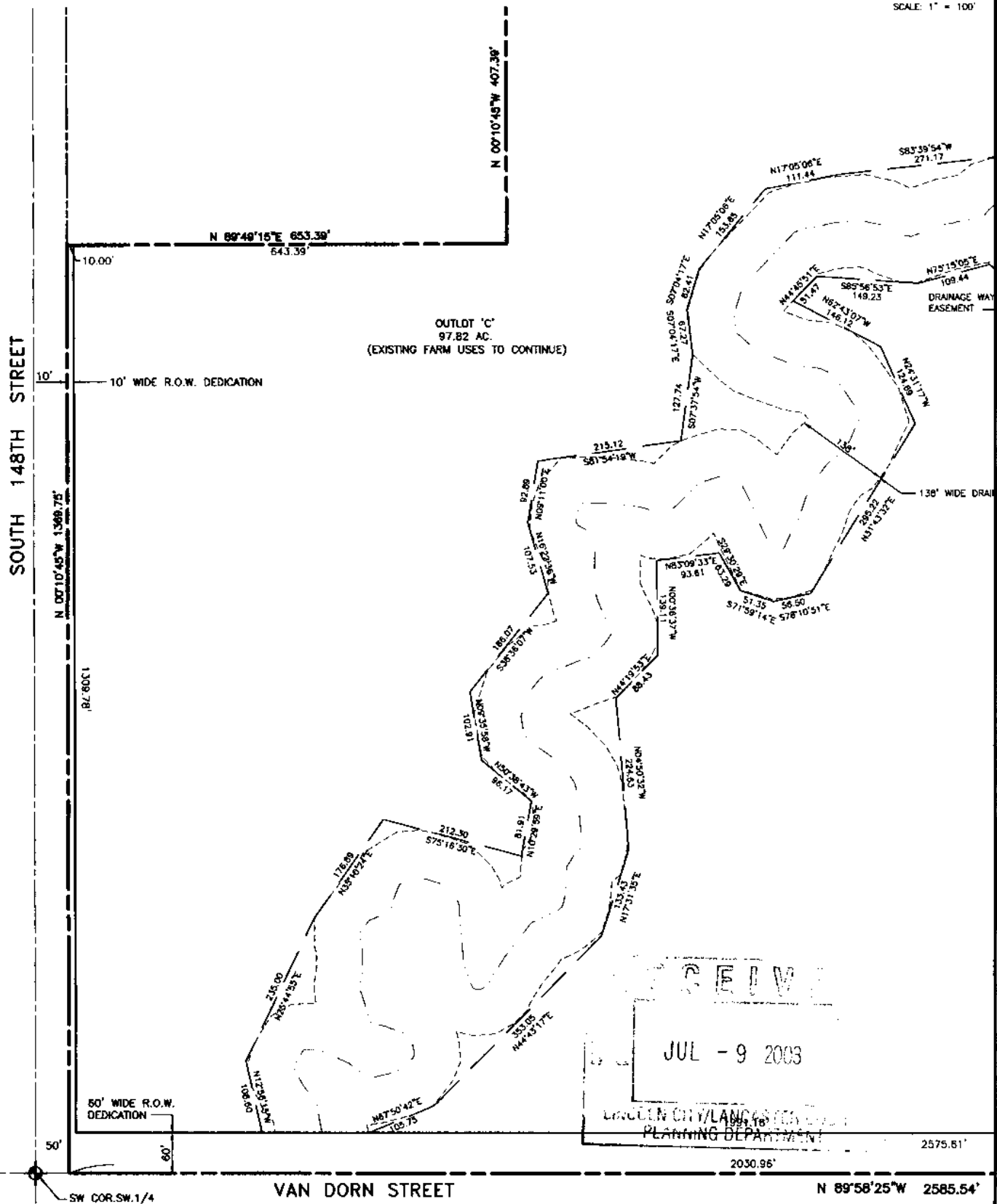
FINAL PLAT BASED ON PRAIRIE CREEK ESTATES COUNTY PRELIMINARY PLAT #03001



**FINAL PLAT
BASED ON PRAIRIE CREEK ESTATES
COUNTY PRELIMINARY PLAT #03001**

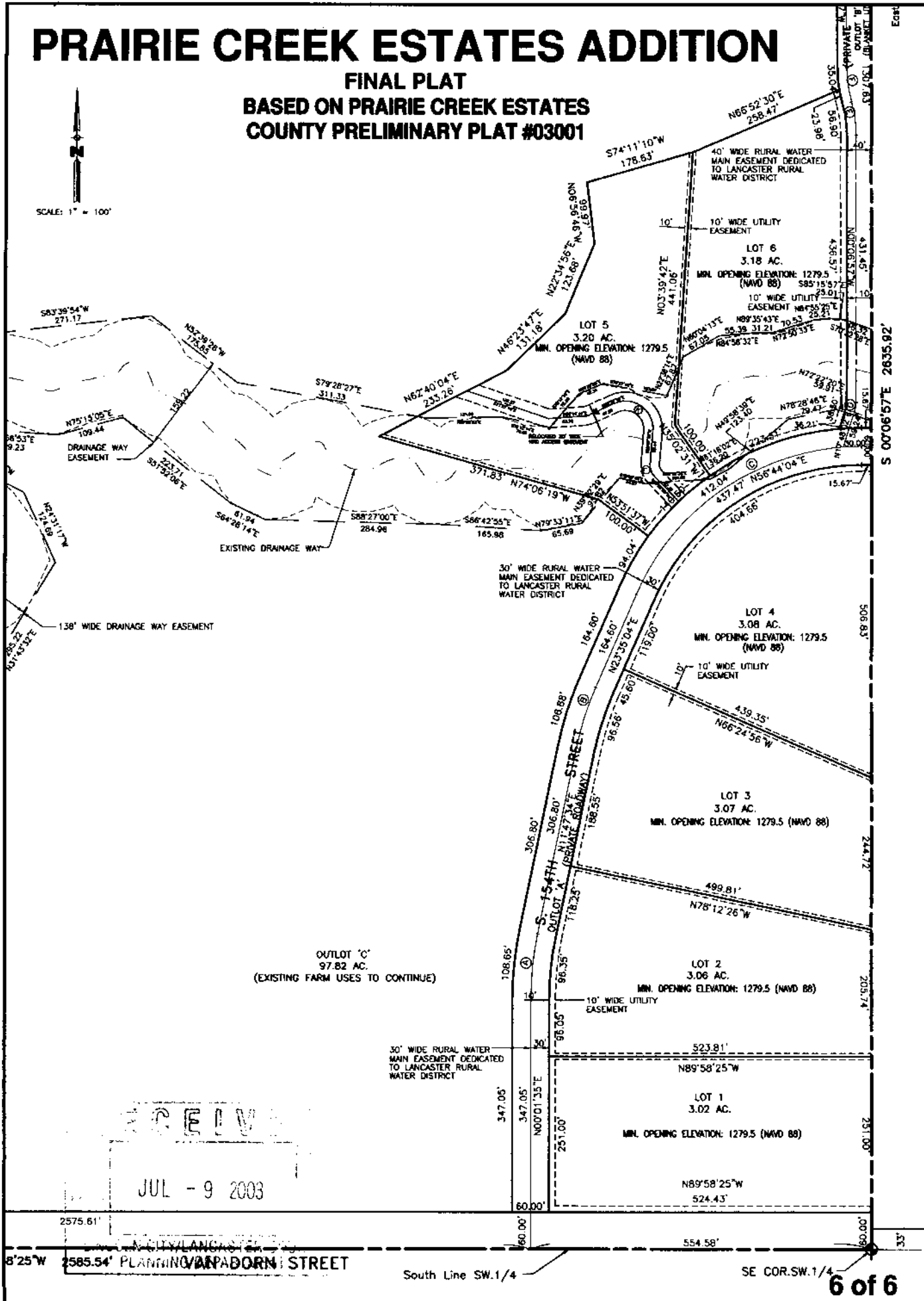


SCALE: 1" = 100'



PRAIRIE CREEK ESTATES ADDITION

FINAL PLAT
BASED ON PRAIRIE CREEK ESTATES
COUNTY PRELIMINARY PLAT #03001



PRAIRIE CREEK ESTATES ADDITION

FINAL PLAT BASED ON PRAIRIE CREEK ESTATES COUNTY PRELIMINARY PLAT #03001

SURVEYOR'S CERTIFICATE

I hereby certify that I have caused to be surveyed the Subdivision to be known as "PRAIRIE CREEK ESTATES", a subdivision a portion of Lot 2, irregular Tract located in the Southwest Quarter of Section 34, Township 10 North, Range 8 East of the 6th P.M., of the 6th P.M., Lincoln, Lancaster County, Nebraska and more particularly described as follows:

Referring to the Northwest corner of the Southwest Quarter of said Section 34; THENCE in an Easterly direction, along the North line of the Southwest Quarter of said Section 34, for a distance of 50.00 feet to a point on the Easterly 50.00' Right of Way line of South 148th Street.

THENCE continuing on the last described course, along the North line of the Southwest Quarter of said Section 34, on an assumed bearing of South 88 degrees 57 minutes 13 seconds East, for a distance of 1887.00 feet to the POINT OF BEGINNING;

THENCE continuing on the last described course, along the North line of the Southwest Quarter of said Section 34, on an assumed bearing of South 88 degrees 57 minutes 13 seconds East, for a distance of 801.47 feet to the Northeast corner of the Southwest Quarter of said Section 34;

THENCE South 00 degrees 00 minutes 57 seconds East, along the East line of the Southwest Quarter of said Section 34, for a distance of 2635.82 feet to the Southwest corner of the Southwest Quarter of said Section 34

THENCE North 88 degrees 58 minutes 25 seconds West, along the South line of the Southwest Quarter of said Section 34, for a distance of 2595.54 feet to a point on the Easterly 50.00' Right of Way line of South 148th Street

THENCE North 00 degrees 10 minutes 45 seconds West, along the Easterly 50.00' Right of Way line of South 148th Street, for a distance of 1588.75 feet

THENCE North 88 degrees 48 minutes 15 seconds East, for a distance of 853.39 feet

THENCE North 00 degrees 10 minutes 45 seconds West for a distance of 407.39 feet

THENCE South 88 degrees 48 minutes 15 seconds West for a distance of 853.39 feet to a point on the Easterly 50.00' Right of Way line of South 148th Street

THENCE North 00 degrees 10 minutes 45 seconds West, along the Easterly 50.00' Right of Way line of South 148th Street, for a distance of 153.88 feet

THENCE South 88 degrees 48 minutes 15 seconds East, a distance of 879.00 feet;

THENCE North 41 degrees 30 minutes 21 seconds East, a distance of 577.77 feet;

THENCE South 88 degrees 57 minutes 13 seconds East, a distance of 423.00 feet;

THENCE North 00 degrees 00 minutes 00 seconds East, a distance of 243.00 feet to the Point of Beginning.

Together with and subject to covenants, easements, and restrictions of record. Said property contains 130.40 acres more or less.

Permanent monuments (Iron pipe or 5/8" Iron Bars) have been placed at all lot corners, street intersections, points of curvature, centerline points of tangency, and at all other points required by the City of Lincoln, Land Subdivision Ordinance, Title 26 of the Lincoln Municipal Code.

All dimensions are chord measurements unless shown otherwise, and are in feet or decimals of a foot.

Signed this ____ day of _____, 20____

Kerry W. Simonds, L.S. 333

PLANNING COMMISSION APPROVAL

The Lincoln City-Lancaster County Planning Commission has approved this final plat and accepted the offer of dedication on this ____ day of _____, 20____ by Resolution No. _____

ATTEST: _____
Chair

DEDICATION

The foregoing plat known as "Prairie Creek Estates", and as described in the Surveyor's Certificate is made with the free consent and in accordance with the desires of the undersigned, sole owners, and the easements shown thereon are hereby granted in perpetuity to the City of Lincoln, Nebraska, a municipal corporation, Atlas, Time Warner Entertainment - Advance/Newhouse, Aquila, Lincoln Electric System, their successors and assigns, to allow entry for the purposes of construction, reconstruction, replacement, repair, operation and maintenance of wires, cables, conduits, fixtures, poles, towers, pipes and equipment for the distribution of electricity and gas; telephone and cable television; wastewater collection; storm drains; solar roads and all appurtenances thereto, over, upon or under the easements as shown on the foregoing plat.

The construction or location of any building or structure, excluding fences, over, upon or under an easement shown thereon shall be prohibited.

The construction or location of any fence or other improvement which obstructs drainage shall be prohibited over, upon, or under any storm drain easement or drainage easement shown thereon.

The City of Lincoln, Nebraska, its successors or assigns are hereby held harmless for the cost of replacement or damage to any improvement or vegetation over, upon or under any easement shown thereon.

Direct vehicular access to Van Dorn Street is hereby relinquished except of S. 134th Street. Direct vehicular access to S. 148th Street is hereby relinquished except at Lot 9.

WITNESS OUR HANDS THIS ____ day of _____, 20____

Nebraska Prairie, L.L.C., a Nebraska Limited Liability Company
Bruce A. Stahr, Member

ACKNOWLEDGMENT

STATE OF NEBRASKA }
LANCASTER COUNTY } SS

On this ____ day of _____, 20____, before me, the undersigned, a notary public, duly commissioned, qualified for and residing in said county, personally came Bruce A. Stahr, Member, Nebraska Prairie, L.L.C., to me personally known to be the identical person whose name is affixed to the dedication of the foregoing plat and he acknowledged the same to be his voluntary act and deed and the voluntary act and deed of said company.

NOTARY PUBLIC

My commission expires the ____ day of _____, 20____

LIEN HOLDER CONSENT AND SUBORDINATION

The undersigned, holder of that certain Lien against real property described in the plat known as "Prairie Creek Estates", said Lien being recorded in the Office of Registrar of Deeds of Lancaster County, Nebraska, as Instrument Number 03-000786, does hereby consent to the dedication of and subordinate the Lien to any utility (sewer, water, electric, cable TV, telephone, natural gas) easements, or streets, or roads, pedestrian way easements, and access easements and relinquishments of access, dedicated to the public, all as shown on the Plat, but not otherwise. The undersigned confirms that it is the holder of the Lien and has not assigned the Lien to any other person.

First State Bank
Trustee and Beneficiary

By: _____ Title _____

ACKNOWLEDGMENT

STATE OF NEBRASKA }
LANCASTER COUNTY } SS

The foregoing instrument was acknowledged before me this ____ day of _____, 20____, by _____

_____, _____ Name _____
on behalf of said First State Bank.
Title _____

NOTARY PUBLIC

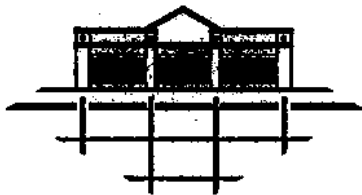
My commission expires the ____ day of _____, 20____

COUNTY BOARD APPROVAL

The foregoing plat and dedication was approved and accepted by the Lancaster County Board of Commissioners by Resolution No. _____ passed on the ____ day of _____, 20____

County Clerk

RECEIVED
JUL - 9 2003
LINCOLN CITY/LANCASTER COUNTY
PLANNING DEPARTMENT



BRIAN D. CARSTENS AND ASSOCIATES
LAND USE PLANNING RESIDENTIAL & COMMERCIAL DESIGN
601 Old Cheney Road, Suite C Lincoln, NE 68512 Phone: 402.434.2424

July 8, 2003

Mr. Marvin Krout
Director of Planning
City of Lincoln/ Lancaster County
555 South 10th Street
Lincoln, NE 68508

RE: PRAIRIE CREEK ESTATES ADDITION- PRELIMINARY PLAT #03001
SOUTH 148TH AND VAN DORN STREETS

Dear Marvin,

On behalf of Nebraska Prairie, L.L.C. we are submitting the Final Plat of Prairie Creek Estates Addition. This plat will create eight single family residences as per the Preliminary Plat. We are not re-platting the 20 acre lot in the Northwest corner of the plat at this time, we will come back at a later date to re-plat this lot.

Currently the site grading, rock, street signs and water lines are being installed and completed.

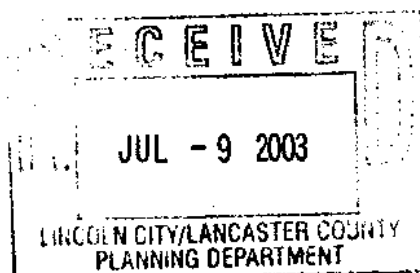
If you have any questions or changes please give us a call, we are anxious to get scheduled for County Board.

Sincerely,

Brian D. Carstens

cc: Bruce Stahr- Nebraska Prairie, L.L.C.

ENCLOSURES: 16 sets of Sheets 1 thru 6
Application & Checklist for a County Final Plat
Application fee of \$180.00
Certificate of Ownership
Reduced Copies






Lancaster
County

Engineering

Department

DON R. THOMAS - COUNTY ENGINEER

DEPUTY- LARRY V. WORRELL
COUNTY SURVEYOR

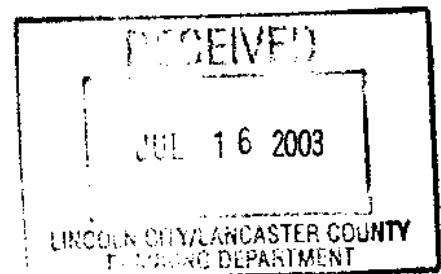
DATE: July 14, 2003
TO: Mike DeKalb
Planning Department
FROM: Larry V. Worrell 
County Surveyor
SUBJECT: PRAIRIE CREEK ESTATES

Upon review, this office would have the following comments:

- 1) Dedication to show "only one residential access per lot".
- 2) All improvements to be completed prior to approval of the Final Plat.
- 3) Revise dedication and remove reference to Lot 9, and change South 134th Street to South 154th Street.
- 4) The 20 acre parcel in the northwest corner should be included with Outlot "C" and replatted as needed at a later date.

LVW/DP/cm

Subdlv.wk/Prairie Creek Estates #3.Mem



LOWER PLATTE SOUTH
NATURAL RESOURCES DISTRICT



3125 Portia St., Box 83581, Lincoln NE 68501-3581
(402) 476-2729 • FAX (402) 476-6454
www.lpsnrd.org

Memorandum

Date: July 21, 2003
To: Mike DeKalb, Planning Dept.
From: *JD* J.B. Dixon, Stormwater Specialist, Lower Platte South Natural Resources District
Subject: Prairie Creek Estates Final Plat

We have reviewed the Final Plat, and all changes discussed by our office are satisfactory. Prairie Creek Estates L.L.C. will need to request that we change the access agreement for Stevens Creek Farm Pond A9-1.

If you have any questions, feel free to call.

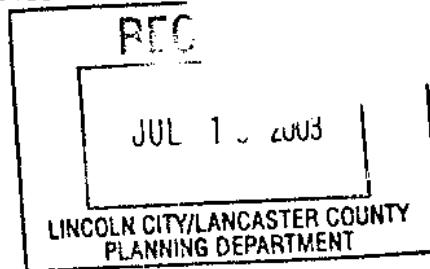
JBD/jbd

pc: file



AREA 2
SERVICE CENTER

R.R. 1 BOX 56
ROCA, NEBRASKA 68430
402/423-3855
FAX 402/423-8090



July 11, 2003

Mike Dekalb, Project Planner
555 S. 10th #213
Lincoln, NE 68508

RE: Final plats 03025 and 03060

Dear Mike,

I have reviewed the subject plats. With regards to 03060, I see no need to request easement at this time.
With regards to 03025, I see easements in place as requested.

Thanks for your cooperation.

Sincerely,

Rick Volmer, Construction Superintendent Area 2